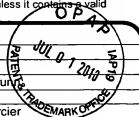


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INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: July 1, 2010 (use as many sheets as necessary)		Application Number	10/711,389
		Filing Date	9/15/2004
		First Named Inventor	Werner Zumbrunn
		Art Unit	1615
		Examiner Name	Melissa S. Mercier
Sheet	1	of	1
		Attorney Docket Number	095473-0106



U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/MM/	A1	2003/0065294	04/2003	Pickup et al.	
/MM/	A2	6,211,296	04/2001	Frate et al.	
/MM/	A3	5,538,503	07/1996	Henley	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			
/MM/	B1	Office Action cited in related U.S. Patent Application No. 11/162,525, dated 2/5/2010.			
/MM/	B2	Office Action cited in related U.S. Patent Application No. 11/162,517, dated 11/24/2009.			
/MM/	B3	Prosser et al., (Effect of abstinence from smoking on sleep and day time sleepiness), <i>Amer. College of Chest Physicians</i> , Vol. 105, pp. 1136-1141 (1994).			
/MM/	B4	Notice of Allowance cited in related application no. 11/162,525, dated 4/26/2010.			
/MM/	B5	U.S. Office Action cited in related U.S. Patent Application No. 11/162,517, dated June 3, 2010.			
/MM/	B6	U.S. Office Action cited in related U.S. Patent Application No. 11/981,672, dated 3/23/2009.			

Examiner Signature	/Melissa Mercier/ (09/07/2010)	Date Considered
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